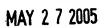
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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

	Application Number	10/661,755	
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	First Named Inventor	Jeong J. MA	
	TITLE COM AND	MMUNICATION HEADSET D METHOD	
	Art Unit	2642	
	Examiner Name	Jack CHIANG	
	Attorney Docket Number	MOT-CS22547RL	

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Reply Under 37 CFR 1.111, including copy of US Publication No. 2002/0021800)	3	
Petition for Extension of Time Under 37 CFR 1.136(a) (in duplicate)	2	
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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

DESIGN IP

	Application Number 10/661,755	
	Filing Date September 12, 2003	
	First Named Inventor Jeong J. MA	
REPLY UNDER 37 CFR 1.111	TITLE COMMUNICATION HEADSET	
	Confirmation Number 8148	
	Group Art Unit 2642	
	Examiner Name Jack CHIANG	
	Attorney Docket Number MOT-CS22547RL	

Commissioner for Patents To: PO Box 1450 Alexandria, VA 22313-1450

Applicant submits the following response to the Official Action dated January 28, 2005, the period for responding thereto extended one month by virtue of the enclosed Petition for One Month Extension of Time.

REMARKS

Claims 1-2, 4-7, 10-16, 19 and 21 stand rejected under 35 U.S.C. §102(b) as being anticipated by Bodley (U.S. Pub. No. 2002/0021800, Pub. date February 21, 2002). Claims 3, 8-9, 17-18, 20 and 22-23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Bodley et al. Applicant respectfully traverses both grounds of rejection.

With respect to independent claim 1, this claim specifies "a sensor that activates the communication base unit when the ear mount is rotated into the open position and deactivates the communication base unit when the ear mount is rotated into the closed position" (emphasis added). Bodley et al. does not teach or suggest this limitation. Bodley et al. discloses a sensor 102 that activates the communication base unit 1 when the boom 2 is rotated into an open position (see paragraphs [0079] [0080]). Bodley at al. also teaches a switch 114 that changes the orientation of buttons 108-112 depending upon whether the ear mount 6 is in a left ear or right Switch 114 does not activate or deactivate the ear position (see paragraph [0062]). communication base unit 1, however, as required by claim 1. Moreover, Bodley et al. teaches away from using ear mount position to activate and deactivate the communication base unit because doing so would preclude the ability of Bodley at al.'s communication unit to be configured for both right and left ear use, which is an important feature of the Bodley et al. device (see paragraph [0017]).